

BOX SEQ

Docket No. 1151-4153US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Chang Yi Wang et al.

Group Art Unit:

TBA

Serial No.:

09/701,623

Examiner:

TBA

Filed:

June 21, 1999

For:

Peptide Composition As Immunogen for the Treatment of Allergy

EXPRESS MAIL CERTIFICATE

Express Mail Label No .:

EF 098 975 375US

Date of Deposit:

August 9, 2001

I hereby certify that the following attached paper(s) and/or fee

- 1. Response to Notification of A Defective Response;
- 2. Copy of Notice of Defective Response;
- 3. Copy of Notification to Comply with Requirements for Patent Application;
- 4. Statement under 37 CFR 1.821(f);
- 5. Substitute Sequence Listing;
- 6. Substitute Computer Readable Diskette;
- 7. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Susan Shen,

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053 (212) 758-4800 Telephone

(212) 751-6849 Facsimile

PATENT USSN 09/701,623 Docket No. <u>1151-4153US1</u> Express Mail: <u>EF 098 975 375US</u>



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PEPTIDE COMPOSITION AS IMMUNOGEN FOR THE TREATMENT OF

ALLERGY

RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE

Commissioner for Patents Washington, DC. 20231

Box: Non-Fee Response

Sir:

This is in response to the Notification of A Defective Response dated July 20, 2001, and Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures copies of which are enclosed. This notification was send without any attached error report.

A Notification of Missing Requirements under 35 U.S.C. 371 dated April 2, 2001, and Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures was received. No reason was attached to the Notice. A second notification was received on April 25, 2001, which stated that the reason for the objection was that the Sequence Listing was embedded in the application and that a separate paper copy of Sequence Listing was required. This was submitted on May 1, 2001 in response to the Notifications. Applicant believed that the submission was in compliance.

However, the present notice is received, without stating any reason for the non-compliance. A telephone call to Mark Spencer, USPTO Scientific and Technical Information Center, Biotechnology Branch, indicated that an error report should have been

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attached and forwarded a copy of the error report. A substitute Sequence Listing is regenerated in the Patentin 2.1 format and it is believed that all of the errors identified in the report are now corrected and should be in compliance with 37 CFR 1.821-1.825. No new matter has been entered hereby entry of the Sequence Listing is requested. The assistance of Mr. Spencer is deeply appreciated.

Enclosed herewith are a disc copy and a paper copy of the substitute Sequence Listing and a Statement Under 37 CFR 1.821(f) stating the paper Sequence Listing and computer readable form of the Sequence Listing are identical.

It is believed that no fees are due for this response. However, if any fees are due the Commissioner is authorized to charge any such fees to Deposit Account No. 13-4500, Order No. 1151-4153US1. A duplicate copy of this sheet is enclosed.

Respectfully submitted, MORGAN & FINNEGAN, L.L.P.

Dated: August 9, 2001

Maria C.H. Lin Registration No. 29,323

CORRESPONDENCE ADDRESS: MORGAN & FINNEGAN LLP 345 Park Avenue New York, New York 10154 (212) 758-4800 (212) 751-6849 Facsimile





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Shakeel Ahmed

Telephone: 703-305-3659

FORM PCT/DO/EO/920 (March 2001)